8641899/2024/VIG-IV-PRR01

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Servants - Panchayat Raj & Rural Development Department - Departmental Proceedings initiated against Sri N.Venkata Ramanaiah, Assistant Executive Engineer (PR) (Retired) on certain irregularities in CMEY Funds etc., - Charged Officer expired on 13.09.2023 - Further action abated - Orders - Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.IV) DEPARTMENT

G.O.Rt.No.203

Dated:04.03.2024

Read the following:-

1. Government Memo.No.5633/VIG.1(A)/2005-1 Dt:02.05.2005.
2. G.O.Rt.No.1390 of PR & RD (Vig.IV) Dept., dated 30-09-2009
3. G.O.Rt.No.679 PR & RD (Vig.IV) Department dated:26.11.2020.
4. Representation of Smt.N.Padmavathi, W/o N.Venkata Ramanaiah, Assistant Executive Engineer (PR) (Retired) along with copy of Hon'ble High Court Order in WP.No.26605 of 2023 etc.,

-ooOoo

In the reference 1st read above, the Government have initiated departmental proceedings by framing Article of Charges against Sri N.Venkata Ramanaiah, Assistant Executive Engineer (PR) for allegation of certain irregularities in CMEY Funds etc. The charged officer has submitted his Written Statement Defense.

2. After examining the Written Statement Defense of Charged Officer, the case has been entrusted to the Commissioner of Inquiries vide reference 2nd read above and the case was re-assigned to Sri K. Venkata Rami Reddy, Member, Commissioner of Inquiries, GAD vide reference 3rd read above.

3. In the reference 4th read above, Smt. N.Padmavathi, W/o N.Venkata Ramanaiah, Assistant Executive Engineer (PR) (Retired) has stated that her husband Sri N.Venkata Ramanaiah, Assistant Executive Engineer has expired on 13.09.2023 and the Hon'ble High Court of AP on 24.01.2024 in WP.No.26605 of 2022 has directed to abate all further proceedings against her husband. Hence, she has requested the Government, to abate all further proceedings pending against her husband and to sanction family pension to her.

4. The Hon'ble High Court on 24.01.2024 in WP.No.26605 of 2022 has ordered as follows:

> ....'the present Writ Petition can be disposed of with a direction to the Respondent No.1 (The State of AP represented by Special Chief Secretary to Government, PR & RD Department) to take into account the subsequent event namely, the death of the Writ Petitioner and the legal effect in terms of Rule 9(7) of the AP Revised Pension rules, 1980 which clearly states that the Proceedings under Rule 9 of the AP Revised Pension Rules, 1980 would **abate** on the death of the employee. The Respondent No. 1 is directed to pass a speaking order with in a period of eight weeks from the date of submission of a copy of this order'

(Contd.2)

8641899/2024/VIG-IV-PRR01

5. The Government after careful examination of the matter, keeping in view of the orders of High Court on 24.01.2024 in WP.No.26605 of 2022 have decided to abate all further proceedings against Sri N.Venkata Ramanaiah, Assistant Executive Engineer (PR) (Retired), as he expired on 13.09.2023 under Rule 9(7) of the AP Revised Pension Rules, 1980. Accordingly, Government here by order to abate all further proceedings against Sri N.Venkata Ramanaiah, Assistant Executive Engineer (PR) (Retired), as he expired on 13.09.2023 subject to condition that if any loss caused or misappropriated the Government amount due to the negligence of the deceased Government Servant is established and detected in future, the same may be recovered from his legal representatives in terms of orders issued in G.O.Ms.No.85, F&P (FW-Pen- 1) Department, dated 12-07-1999 r/w Rule 9(7) of A.P. Revised Pension Rules, 1980.

6. The Engineer-In-Chief, Vijayawada shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

TO
Smt. N.Padmavathi, W/o N.Venkata Ramanaiah,
Assistant Executive Engineer (PR) (Retired) **through** the
Engineer In - Chief, Vijayawada
The Engineer - In - Chief, Vijayawada (PR) Department,
(With a request to serve the above Memo furnish dated acknowledgement).
Copy to
The Accountant General, AP, Vijayawada.
The Commissioner, Panchayat Raj & Rural Development., AP., Vijayawada.
The Director of Treasuries & Accounts, AP, Mangalagiri.
The District Treasury officer, SPSR Nellore District.
The Secretary to A.P. Vigilance Commission, Velagapudi.
The P.S to Deputy Chief Minister(PR & RD)
The P.S to the Special Chief Secretary to Government (PR & RD)
SF/SCs.

//FORWARDED :: BY ORDER//

SECTION OFFICER

ch@